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## ARTICLES

# Police Performance Measurement: A Normative Framework

MARK H. MOORE & ANTHONY A. BRAGA

## I Introduction

Citizens have long wanted a reliable measure of police performance. They want to know whether the police are producing something that is valuable with the assets entrusted to them. They want to be able to hold the organization to account for its performance. Police managers, too, have needed a measure of police performance—partly to meet external demands for accountability, and partly to establish a form of accountability inside their organizations that could focus attention on achieving valuable results rather than simply reliably executing established policies and procedures. A crucially important task for both citizens and police managers, then, is to work out an understanding of how the “public value” produced by policing can be recognized and assessed.

Generally speaking, developing appropriate measures of police performance has been treated as a *managerial* or *technical* problem to be solved through some combination of the practical methods of business management (develop a “bottom line” for policing) or the statistical methods of social science (conduct a “program evaluation” of police departments focusing on the ultimate outcomes produced by the police). And it is true, of course, that developing suitable performance measures do raise im-

portant managerial, technical, and scientific issues. The managerial issues focus on how different measurement systems can be used to guide, motivate, or enable the learning of an organization. The technical issues concern the development of the statistical measures and instruments that can reliably capture the dimensions of performance that the police deem important. The scientific inquiry focuses on the extent to which performance measurement systems can help the police find out what particular programs “work” to accomplish various police objectives.

In the end, though, it seems self-evident that the development of police performance measures is also, and perhaps most fundamentally, a *normative* and *political* question; not only or even primarily a *management* or *technical* issue. After all, to develop a standard for assessing the performance of an organization as “good” or “bad,” “improving” or “deteriorating,” is to make a normative, value claim as well as a positive, scientific claim. One has to have an idea of the “good” or the “right” as it applies to police operations to be able to defend a standard of police performance. One also has to have a theory about whose views of the “good” and the “right” should count in setting a standard for policing—more particularly, whether it is the views of individuals deciding for themselves what they think is “good” and “right” as they encounter the police as individuals seeking assistance or individuals who are stopped, cited, or arrested; or whether the idea of the good and the right in policing emerge from some kind of collective political process in which the body politic gathers itself together to say what is good and right for the whole, and where that view trumps the views of individuals. One may also have to

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have an idea about the kinds of deliberative processes that should, ideally, go into the formation of a collective judgment about the good and the right as it applies to public police departments. In short, the important question that lies at the core of developing any adequate measure of police performance is for citizens and their elected representatives to decide what it is that is intrinsically valuable, or what it is that we as a political community value in the activities and operations of a public police department. That is simultaneously an issue for political philosophy and practical politics, as well as for professional management and science.

Indeed, once one sees the issue as a normative, philosophical, and political question, a great many additional questions arise, including the following:

- Who does the valuing of public sector operations? Are police operations properly evaluated by the “customers” of the police (those who receive services from the police and/or pay the costs of keeping the police operating)? Or, are the police properly evaluated against a collectively established understanding of the “mission” of the police that serves as an alternative standard for judging police performance—one that emphasizes a shared social judgment about what constitutes a good and right police department and trumps the views of individuals who might want something different from that social standard. If the latter, who is the “we” that gets to establish the social standard for good and just policing, how do we form an articulate “we” from the crowd of individuals that “we” are, and where should “we” go to seek guidance in our deliberations about what we should want in policing?
- Assuming for a minute that the appropriate arbiter of the value of police activities is the political collective, how should that political collective—that “we”—think about the fact that the police routinely use force and authority to accomplish their purposes? Should that “we” think of force and authority as a kind of resource that has instrumental value like money, or should we view it as something quite different from money? If it is like money, should we be interested in economizing on its use? If it differs from money, what does its use require of us?
- Should the “we” that is formed in these collective decision-making processes think of the public police in instrumental terms as an agency that is trying to accomplish some public good such as reduced crime or enhanced security? Or, should we think of the police in more intrinsic, principled terms as an enterprise that is responsible for enforcing the law fairly and impartially regardless of the practical results? Or, should we think of the police as a complex blend of an instrumental agency that has resources that are to be deployed efficiently or effectively to achieve a social purpose, but where the social purpose we seek is not just reduced crime, or enhanced security, but also the quality of justice as it both exists and is experienced in our communities?
- What is the relationship between the decisions about whether to value in instrumental or non-instrumental terms on the one hand, and whether organizations should be evaluated in terms of outcomes or processes on the other?<sup>1</sup> Are the important outcomes of policing reduced crime and enhanced security, or should we view the achievement of justice as an outcome that ought to be pursued?
- Can we see the “quality of justice” as a valued outcome of organizational activity that could justify the use of money as well as a process value? Is achieving justice as important, less important, or more important as a social goal than reducing crime or enhancing security?

In this paper, we present a normative framework that argues for a way to value the performance of police agencies that differs quite substantially from the usual managerial and technical idea that the police need something that is equivalent to the private sector’s famed “bottom line.” It differs also from the common scientific idea that police performance should be evaluated in terms of a limited number of social outcomes such as reduced crime, or enhanced security. We argue, instead, that the right place to look for inspiration in measuring police performance is not business management, but instead political philosophy, and the challenges of practical politics. More particularly, we argue that the right way to construct performance measures for policing would be from the point of view of “Rawlsian citizens” who have to decide what kind of police department they would like not knowing whether they would end up being individuals who called the police for assistance, individuals who supported the police by paying taxes, or individuals who were arrested by the police. Moreover, we argue that one can get an approximate view of what such citizens might value through an empirical examination of the variety of value claims that are now made against police departments. Relying on earlier investigations, we discuss a set of performance characteristics that such people might attend to, and that would therefore become plausible candidates for the right set of criteria to be used in evalu-

ating the performance of public police departments. We conclude with an effort to categorize these different value claims in a framework that distinguishes utilitarian and principled values at stake in measuring police performance, and values that register in these categories at

both the individual and the social level. We begin, however, with a short digression on the idea of a financial "bottom line," since it is the power and simplicity of this idea that shapes much of the current public discourse about measuring police performance.

## II A Financial "Bottom Line" for Policing?

Private sector companies have long relied on a financial "bottom line" to maintain their accountability to investors, to capture the value that their enterprise is creating for the society, and to motivate and guide their continuing operations. Given the importance and power of the financial bottom line to private companies, it has been tempting to seek an equally powerful "bottom line" for policing.

Now, there is nothing wrong with such efforts. They are crucial to creating both external and internal accountability in police departments, and external and internal accountability help to create legitimacy and improve the performance of police departments. So, we are not against the idea of developing some standard that can be used to evaluate the performance of police departments.

The problem comes when we try to construct a "bottom line" for policing *using the same ideas about value we rely on to develop the normative significance of the financial bottom line for private companies*; namely, that value lies in the satisfaction of individual customers who use, benefit from, or pay for the services of the police, and the value they place on those services can be measured in financial terms.

The first problem is that it is by no means obvious who should be viewed as the "customer" of a public police

department whose aspirations for and satisfactions with the operations of the police department constitute the proper valuation of the police department's efforts. Is it the person who calls for assistance? Or, the taxpayer who wants to keep his tax liability low? Or, is it the alleged offender who is asked to surrender his liberty and "come along quietly" by the police?

The second problem is that it is not clear what aspects of police performance are most highly valued by those who might best be viewed as the "customer." Should we be concerned about the quality and responsiveness of police services to individual citizens? Or, is our concern the total cost of the police? Or, is the legitimacy the police enjoy in the minds of those policed the most important valued attribute?

Nor, finally, is it clear that the aspects of police performance that are valued can be fully captured with financial measures. Is the benefit of reducing crime really captured reliably by the reduced hospital bills and property losses associated with criminal victimization? Is the fairness of the police and the quality of justice they help to produce easily measured by consumers' "willingness to pay" for such things? If not, it might be particularly important to include many non-financial measures in the accounting for police performance.<sup>2</sup> Let us consider these issues in sequence.

## III The Important "Customers" of Public Policing: "Citizens" v. "Clients"

The normative argument for relying on a financial bottom line for a private sector company begins with the idea that an important goal of a private sector organization is to "satisfy its customers." The idea that an organization ought to try to satisfy its customers makes perfect sense in the context of a private market. At the outset, it seems to make as much sense in thinking about government operations as well.<sup>3</sup> It is important to remember, however, that in the private sector, "customers" play two crucially important roles. First, as a *practical* matter, it is

the customers' decisions to spend money on the products and services manufactured by private enterprises that provide the resources they need to survive. Second, as a *normative* matter, the principal social justification for private enterprises lies in their ability to satisfy the desires of customers with money to spend.<sup>4</sup>

We also know where to find customers in the private sector. They are the people whom the organization encounters "downstream," at "the tail end of the production process," on the "other side of the counter." They are

the people who plunk their money down to buy the products and services that a private company produces and who carry home the satisfaction that such purchases make possible.

Presumably, there is a "customer" for public police departments as well: that is, someone whose decision to spend money on the organization's products and services keeps the enterprise going, and whose satisfaction becomes the important social justification for the enterprise. But it is not exactly clear who that customer is.

### (1) *Clients and service quality*

The most obvious candidates for the "customers" of public police are those *who call the police for assistance*. These individuals closely resemble customers in the private sector for at least two reasons. First, they encounter the police as individuals requesting assistance at the delivery end of the organization. Second, to the extent that the police department responds satisfactorily to their demands for service, they benefit as individuals from the activity of the police department. Presumably, an important goal of policing should be to provide some relatively high degree of satisfaction to such individuals.

Yet, it is possible that the importance of satisfying these individual "customers" of the police is less important than it would be in the private sector. Part of the reason is that the goal of satisfying these *individual* customers of the police may be in conflict with some other *socially* important goals of the police—for example, reducing crime at the lowest possible cost. The tension between the individual caller's valuation of police services and the social objective of effectively and fairly controlling crime on the other, is unwittingly but quite sharply revealed in an important piece of police terminology.

When a police officer is on patrol, and is dispatched to a call for service, just before stepping out of his car to meet with the person who called, the officer typically radios his dispatcher and announces that he is "going out of service." Then, when he has finished his transaction with the individual caller, he gets back into his car, radios the dispatcher, and announces he is "back in service." That is, when the police officer is meeting and responding to the individual citizen, he is "out of service"; when he gets back in his car to wait for the next call, he is "in service"!

This raises the obvious question: "in service" to whom? Apparently not the individual caller, for the department urges the police officer to keep these encounters as short as possible so that he can be back "in service." The answer seems to be that the patrol officer is "in service" not to individual citizens, but to the dispatcher. But a little

reflection reminds us that it is not really the dispatcher's satisfaction that is at stake. The dispatcher is merely the agent of a collectively established regime that has a theory about both the most important ends and the most effective (and just?) means of achieving those ends. That theory is that one of the most important goals of a police department is to reduce crime by threatening potential or actual offenders with the prospect of arrest, and that the best way to produce this result is to have publicly financed officers on patrol deterring crime through their looming presence and their readiness to be dispatched to crime emergencies. It is this socially defined collective value that is being protected by the dispatcher who is urging the police officer to resist the claims of individual citizens who want to use the police to provide more particularized, less urgent services to them.

This reminds us that there is an important potential tension between the *individual caller's* interest in having the police officer respond thoughtfully and courteously to his individual need on one hand, and the *society's* interest in having police available to respond to crime emergencies on the other. Of course, a society could decide that it wanted its police to provide high-quality, personalized service to individuals, and that it was willing to pay additional taxes and/or take losses in terms of the overall effectiveness of the police in controlling crime to accomplish this goal. Or, it could decide that the collective purposes of keeping taxes and crime rates low were more important than providing responsive individual services. But the point is that it is a collective society that decides these things, not the individual who calls the police. Citizens of the collective society decide this matter because they are the ones who pay for the police, not the person who calls.

Precisely because the satisfaction of the individual who calls the police for services is not the sole *raison d'être* of a public police department, it might be better to think of such people as "clients" of the police rather than "customers." As "clients," these individuals would like to make claims on the department to advance their own interests. Satisfying such clients is important, but it is not the be-all and end-all of public policing as it would be if these individuals had all the practical and normative weight possessed by customers in the private sector.

### (2) *Citizens and fairness*

The idea that the police are supposed to serve not only those specific, concrete individuals who call but also those larger and more abstract purposes valued by a collective becomes even more apparent when we realize that, in the ordinary practice of policing, police manag-

ers often have to tell both individual citizens and larger groups of citizens that they cannot have what they want from "their" police department. Sometimes, police managers have to explain that even though they would like to provide additional foot patrolmen to a fearful neighborhood, there are other neighborhoods that have greater need of these resources because their real victimization rate is higher than the community that is petitioning for more officers. Police managers also sometimes have to explain that they cannot simply remove undesirable people from a street or park. Because the streets and parks are public, those considered undesirable by the local population may have a right to be there, and it is the police responsibility to protect those minority rights as well as to bring the criminal law to bear on offenders.

At this stage, then, it is useful to make a distinction between what we can think of as "citizens" on one hand, and "clients" on the other. Importantly, this is *not* a distinction among particular classes of individuals—while there might be some individuals who are clients of the police but not citizens, and others who are citizens but not clients, probably most individuals are both citizens and clients of the police at different moments of their life. The crucial difference is not among different individuals then; the crucial difference is in point of view and perspective, perhaps of "social office," and certainly of the particular values an individual wants to see expressed in police operations. A "client" is, in the first instance, someone who has asked the police for assistance. It is someone who knows whether he or she is rich or poor, black or white, living in a dangerous or safe area. Because clients have particular known positions in society, they have particular interests to be advanced. The rich man may want a police force that allocates services according to ability to pay, while a poor man might want a police force that allocates services according to need for protection.

A "citizen," on the other hand, differs from a "client." Following the philosopher John Rawls, we want to define a "citizen" as someone who is considering a question about the just and proper use of state resources *without knowing the particular position he or she occupies in society*.<sup>5</sup> Thus, for example, "citizens" might consider whether it is a just and fair police practice to stop black drivers more often than white drivers because they fit a profile of criminal offending without knowing whether one was black or white. Or, "citizens" might consider whether "aggressive panhandling" should be a criminal offense subject to jail time without knowing whether one was a homeless man or a businessman walking to work.

Of course, as a practical matter, it is no simple matter to get individuals to begin thinking like Rawlsian citizens. More often, they think as individuals with particular material interests. The person who calls wants to get the maximum service for him- or herself regardless of the effect on others who might want the attention of the police force to their particular concerns. The taxpayer who has his own private security force wants to minimize the amount he has to pay to support a public police service. The criminal suspect wants to force the police to respect his rights and give him a chance to go unpunished for a crime he committed. And so on.

Moreover, practical politics these days tends to operate more on the principle that it should pander to particular interests than that it should try to encourage individuals to rise above their particular interests and empathetically embrace the interests of all. This shortcoming of practical politics leaves police managers subject to an uncoordinated stream of special-interest demands that enormously complicate their managerial lives.

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Still, the point that is being made here that is important to a discussion about how to construct measures to recognize police performance is that the valuing of police services is not done simply by those who are individual clients of the enterprise, and not done simply in terms of the material interests of those individual clients. It is also done by groups of individuals who might press claims against police departments to advance the material interests of their groups: merchants who want to enforce parking regulations and keep prostitutes off their street corners; parents who want to enlist the police in their efforts to keep their children from using drugs. And it is done by the wider citizenry acting through the institutions of democratic representative government with its concerns not only to provide material benefits to individuals (such as reduced vulnerability to criminal victimization) but also to achieve the public interest more generally, including the ideas of acting fairly and achieving justice.<sup>6</sup> In short, what the wider citizenry buy is not

just service to them as individuals, but instead the realization of some conception of the proper mission of a public police department.

Significantly, that mission may include many different dimensions of performance. Indeed, given the diversity of individual views about what is desirable in policing, and the variety of groups that might want to press their somewhat idiosyncratic ideas of what the common interest requires, and given the difficulty practical politics has in forcing a choice to limit those views to a small number of important values, it is virtually certain that many values will be considered important in assessing police performance. The set of values used in evaluating police departments can include substantive, material values such as reducing crime and providing high quality services to individual clients. But the set of values that the citizenry finds important could also include the reliable achievement of "process values" such as calling individual offenders to account for their crimes, or treating suspects fairly.

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In this, citizens are more like "owners" and "investors" in public police departments than like "customers." As owners and investors, they may be interested in how well the department is doing in satisfying individual clients because they think that is an important end in itself, as well as a way of building relationships that can strengthen police operations in the future. But, in the end, as owners, they are interested in the overall, aggregate performance of the department in executing its mission, not only in the quality of the individual experience that callers of the police now enjoy. Reassuring these *owners* who continue to provide the money and authority that the police need to operate may be far more important both practically and philosophically than satisfying the individual clients of the department.<sup>7</sup>

### *(3) Offenders, rights, and compliance*

So far, we have diverted attention from another possible "customer" of police services: namely, those who are arrested or cited or stopped and questioned by the police.

It is pretty obvious that they differ from "customers" in the private sector. For one thing, they do not necessarily see the result of their transaction with the police department as something that benefits them. Nor, as a normative matter, is it the social point of the organization to make them happy as possible!<sup>8</sup> These observations make the obvious point that police departments are not simply in the business of providing services: they are also in the business of imposing duties and obligations. Indeed, many police encounters are not "service encounters," but instead "obligation encounters." Consequently, it becomes important to consider what makes something a high quality "obligation encounter."

Because the imposition of obligations and duties is, by definition, an exercise of state authority, one unique feature of an "obligation encounter" is that the experience can be and is evaluated not only by the individual "obligatee" on whom the duty is imposed, but also by "citizens" and their representatives who seek to ensure that the authority is used properly. Presumably, both "citizens" and "obligatees" want this obligation to be imposed justly. They also want it to be imposed economically. Indeed, we want these dimensions of performance so much that we have laws that give individual clients of the police department the right to sue the police department if they have reasons to believe that they have been unfairly treated.<sup>9</sup> We also support special agencies to receive and investigate cases of police misconduct at public expense.<sup>10</sup> Furthermore, we spend enormous amounts of time and effort in training the police not only on the circumstances that entitle (and require) them to use state authority, but also on techniques to bring that authority to bear in ways that minimize the risk of injury to both them and the offender.<sup>11</sup> These facts all testify to the reality of our determination as citizens to require as a matter of principle that the police use the authority of the state economically and fairly.

A second important feature of an "obligation encounter" is that the ultimate objective of the encounter is not to make the client happy; it is to get the client to *comply* with the particular obligation that is being imposed. We want the offender to come along quietly, not resist. Securing compliance may be importantly aided by arraying overwhelming force so that the object of the obligation encounter has no choice but to comply. But research tells us that securing compliance is also aided by the perceived fairness of the obligation that is being imposed.<sup>12</sup> It may also be aided by respecting the dignity of the person being obligated.

In these respects, then, the police seem to respect the dignity and attend to the satisfaction of those whom they

*oblige* as well as those whom they *serve*. This is necessitated in part by their commitment to the principle of using force fairly and economically, but it is also supported by the instrumental aim of gaining compliance. Still, the point remains that, in obligation encounters, the satisfaction of those obliged by the police is not their ultimate goal—they are granted the use of state authority to achieve collectively defined goals, and they act to protect the dignity and satisfy offenders only to the extent that the collective says they should.

(4) *Public value: mission effectiveness vs. client satisfaction*

On reflection, it seems clear that the “customers” who matter in defining the value to be produced by the police are not the people whom the police encounter in either individual service or obligation encounters. They are, instead, the citizens who, through a complex, highly imperfect political process, both authorize and finance the continued operation of public police departments. In thinking about police performance measurement, however, it is important to see how different the idea of “mission effectiveness” is from the idea of “customer satisfaction.” A public sector organization’s “mission” is established through a political process that forges the *individual* views of citizens and taxpayers about the kind of public police organization they would like to support into a *collective* view defining the organization’s objectives. It is not found by adding up the value that individuals receive through particular service encounters with the organization.

What makes this different from private sector enterprises is that “customer satisfaction” becomes an important goal *only if the community decides that is an important goal*. It is likely that the community will decide that while

high quality services to individuals is one important goal of policing, there are many other goals as well. For example, a community could decide that reducing aggregate levels of crime is at least as important as providing high-quality services to those who call the police. It could decide that it wants its police department to call offenders to account, both as an important means toward the end of reducing crime and as an important end in itself. It could decide that it is important to reduce fear and enhance security as well as reduce crime. It could decide that it is very important to use the authority of the state economically and fairly, and to minimize both brutality and corruption. It could decide that it wants to keep the financial costs of the police department as low as possible so that there is money for schools and hospitals as well as the police. It could decide that it wants to organize its police department to engage citizens effectively in the “co-production” of public safety in order to increase both the legitimacy and effectiveness of the police.

Each of these things represents something that a community might value in a police department’s performance. They may not all be equally valuable. Moreover, from a technical point of view, they could be somewhat inconsistent with one another in the sense that one must ultimately face trade-offs among the different goals. But the point is that each of them represents a dimension or attribute of police performance to which a community might attach some value. If the community values these dimensions of performance as more or less important parts of the mission of policing, then they become important candidates for measurement. What purposes, goals, and dimensions of performance might be written into a police department’s mission is our next consideration.

#### IV Policing’s “Bottom Line”: The Mission, Important Consequences, and Valued Attributes of Police Performance

The argument so far is that the public value produced by a police department is to be found not necessarily in the individual satisfactions of those clients whom a police department encounters as individuals who call for services or whom become the focus of police suspicion, but instead in the degree to which the police achieve some collectively defined mission. The mission, in turn, is an imperfect expression of the collective will, forged from the imperfect processes of practical politics. To construct the bottom line for policing, all one needs to do,

then, is to figure out what the mission of the police might be, as citizens come to understand it through some kind of appropriate collective process.

While we cannot construct an ideal process, and therefore cannot be sure what Rawlsian citizens would decide, there are several ways by which we might get an approximation. One way is simply to reflect on our many years of experience in listening to the on-going discussion about what society seems to value in policing. We are not outside this discussion. As scholars of policing,



we are in the middle of it all the time, and all we have to do to learn something important about what society wants from policing is to notice when some element of society is rising up to make a demand. We can feel the demand for cost-effectiveness in crime control. We can feel the demand for the kind of justice associated with "calling offenders to account." We can feel the urgency that some groups feel about protecting civil liberties and ensuring fairness in the way that society is policed. We can feel the demand of citizens who want to be treated well by those whose salaries they pay. And so on.

A second way is to consider the academic literature that has grown up around both the efforts to understand the proper mission of the police in a democratic society,<sup>13</sup> and the methods that have been considered for measuring police performance.<sup>14</sup> These studies are the hard-won products of academics trying to make sense of the experiences they are having in assessing the contribution that the police can and should make to the society.

A third way is to look closely at real communities and see how they have acted to hold their police accountable, and the standards of performance they have implicitly or explicitly embraced. In our own work, we have actually done this for two communities: Milwaukee and New York City. We have used newspaper coverage both to report on who was holding the police accountable (and for what dimensions of performance), and to see how the press itself was acting as an agent of accountability for the police.<sup>15</sup> We have also interviewed individuals who were in positions to call the police to account, or were in positions where they themselves were called to account, or who had been long-time observers of policing and the way it was called to account in those cities.

Using all these methods, we have developed a list of potentially important dimensions of police performance. We set out that list below with some discussion about the reasons to include or exclude the particular ideas from consideration. We do so not because we think we have the answer right. Indeed, we are not sure that we have gotten all the dimensions usefully identified, let alone the relative weights that communities might place on these different dimensions of value in defining the "social maximand" that should guide police operations. We do so to nominate them for discussion in communities so that communities can develop their own ideas about the values they want to see both achieved by the police and reflected in their operation. Communities could then get on with the challenging task of capturing real information about the degree to which the police live up to our expectations and/or are improving in their efforts to do so.

### (1) *Reducing crime and criminal victimization*

To many, the most important mission and valued product of policing is obvious: it is reduced crime. That is what William Bratton means when he (incorrectly) claims that "reduced crime" is to policing what profits are to private-sector enterprises.<sup>16</sup> It is the simplicity, clarity, straightforwardness, and conventionality of this conclusion that gives this view its substantial political and organizational power.

Without doubt, reducing crime and criminal victimization is the single most important contribution that police are expected to make to society's well-being. It has this significance because society judges it to be very important to minimize the immediate physical and economic losses of criminal victimization. Yet, in transforming the goal of reducing crime and criminal victimization into a measurable "bottom line" for policing, two important issues arise.

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First, it is unexpectedly difficult to measure levels of crime and victimization. One must deal with the simple fact that between the level of *reported crime* and the *real underlying rate of crime* lies the "dark figure" of *unreported crime*.<sup>17</sup> Determining the level of *unreported crime* is important not only to get a more accurate measure of the real rate of criminal victimization in the society, but also to determine how much confidence citizens have in asking the police for help. The only way to measure the underlying rate of victimization is to conduct a general survey of citizens asking about their victimization and their reasons for failing to report crime to the police.<sup>18</sup> But these "victimization surveys" are expensive, and themselves vulnerable to several different kinds of error.<sup>19</sup> Still, if one wants to get close to the real level of victimization in the community, and to learn about the extent to which the police have earned the confidence of citizens in responding to criminal offenses, there is little choice but to complement information on *reported crime* with information about *unreported crime* gained from general surveys of local populations.<sup>20</sup>

Second, some believe that measuring the performance of the police in terms of their impact on levels of crime is wrong because, in their view, the police have little ability to control crime.<sup>21</sup> If crime is not something that the police

can control, then (1) it would be a substantive error to attribute any crime reductions that occurred to them; (2) it would be unfair and ineffective for citizens to hold them to account for this result; and (3) it would be politically imprudent for police managers to ask to be evaluated in terms of their crime reduction performance. Of course, these observers may be wrong. After all, the fact that the best predictors of levels of crime turn out to be social and economic variables, not the level of policing, does not necessarily mean that the police cannot produce crime reduction effects that are potentially valuable to the society, particularly if one is willing to accept some local and temporary reductions in crime as important results. There are encouraging signs that some approaches taken by police agencies can, in fact, reduce crime below previous or expected levels of crime given the social and economic conditions.<sup>22</sup>

Indeed, there is even some evidence that the police can reduce crime through *interventions that do not depend on threatened or actual arrests*. For example, they can prevent burglaries by encouraging citizens to harden their homes and businesses against the usual practices of burglars.<sup>23</sup> They can prevent racial conflicts among teenagers by rearranging bus routes and conducting educational programs in schools.<sup>24</sup> They can reduce the lethality of youthful disputes by regulating the availability of guns to kids.<sup>25</sup> These important *preventive* activities fit directly into the core mission of reducing crime, but they focus police attention on different kinds of activities from patrol, rapid response to calls for service, and retrospective investigation that constitute the standard police methods for controlling crime. They also work through means other than threatening or making arrests of criminal offenders.<sup>26</sup>

However, even if we concluded that the police *could* reduce crime, the problem of reckoning the value of policing *only* in terms of reduced crime is that the police make other equally (or conceivably more) valuable contributions to society above and beyond their contribution to reducing crime. Unless we focus attention on these results as well, we risk failing to recognize and create some of the social value that the police are capable of achieving for their communities.

### (2) Holding offenders to account

Many who are skeptical of, for example, police capacity to control crime, nonetheless applaud their efforts to "enforce the law" and "call offenders to account." In this view, identifying and making cases against criminal offenders is consistent with achieving the principled goal of doing justice. Achieving that goal, in turn, is valuable

in itself *even if it produces no or little impact on crime*. Indeed, to some, doing justice is the *only* important goal of policing.<sup>27</sup> Concentrating on the goal of calling offenders to account has the further (apparent) advantage of focusing police attention on something that the police can control. They may not be able to influence overall levels of crime, but they ought to be able to identify and apprehend those who offend.

To many, of course, achieving the *principled* goal of holding offenders to account is tantamount to achieving the *practical* goal of effectively controlling crime. In this view, the mechanisms of deterrence and incapacitation are assumed to be powerful enough to ensure that if the police catch those who commit crimes, one can count on crime being reduced in the future.<sup>28</sup> Indeed, for many, this connection is so close that the two different ideas cannot easily be separated.

Yet, there is a clear difference between the principled goal of ensuring justice and the instrumental goal of reducing crime. According to some ethical perspectives, it is desirable to hold offenders to account even if that effort has no impact on future crimes.<sup>29</sup> In this view, meting out just punishment is something that is intrinsically good. A good and just society would seek that result and spend treasure to produce it even if the punishment had no practical effect on future criminal offending. As the philosopher, Immanuel Kant, argued, if a criminal offender has been justly sentenced to some form of punishment, it would be important to carry out that punishment even if the offender and the warden were the only people left on earth.<sup>30</sup>

### (3) Reduced fear/enhanced security

The goals of "reducing crime and victimization" and "calling offenders to account" are squarely at the center of the conventional view of the police mission. They are also dimensions of performance for which (more or less adequate) measurement systems have been constructed: reported crime rates on one hand, clearance rates on the other. There is a third goal of policing that is thought to be closely related to these others and for which current measurement systems are less well developed: namely, reducing citizens' *fear* of crime. Alternatively, one could state this goal more positively as enhancing the citizenry's sense of security against criminal victimization.

There are several strong arguments for recognizing police contributions to reducing fear. First, one can argue that enhancing the subjective sense of security is ultimately what policing is all about. Indeed, one could argue that reducing crime is only a means to enhancing security, and that it is the sense of security that is the

ultimate end. Second, we know now that reducing fear can make an important independent contribution to reducing serious criminal victimization. When fear is reduced, informal social control is enabled. When informal social control is enabled and combined with police action, serious crime goes down.<sup>31</sup> Similarly, when the police focus on minor criminal offenses to reduce fear, it seems that they have a direct effect on serious criminal victimization as well.<sup>32</sup> Finally, it seems clear that police efforts to reduce fear by being present in certain ways, and by reducing minor-disorder offenses as well as serious criminal victimization, tend to increase the economic and social capital in particular neighborhoods. That is good in itself; it adds to the wealth and the overall quality of life of citizens. It is also instrumentally good since a stronger civil society tends to strengthen the overall performance of government.<sup>33</sup>

Most people, faced with these arguments, will agree that the police should be concerned not only with reducing crime and victimization, but also with the larger issue of "enhancing security." That is what they were really after when they said that the goal was to reduce crime and criminal victimization, and to call offenders to account. They just thought that the most appropriate way of enhancing security was to reduce the real, underlying risk of criminal victimization and to arrest offenders.

Once one agrees that the police should be interested in reducing fear as well as reducing crime, however, the problem becomes one of how to measure it. This is a very difficult problem. Yet there has been some progress made in assessing levels of fear.<sup>34</sup> The principal instruments are surveys of the population that ask them about their levels of fear and their investments in self-defense efforts. These questions are usually asked in the same surveys that also ask about unreported criminal victimization and about the reasons why the citizens failed to report their criminal victimization to the police.

#### *(4) Structuring the burden of defending against crime*

The discussion of fear and the burden of self-defense that fear imposes on individuals focuses attention on a frequently overlooked issue in discussions of the value of public policing: namely, what the quantity and quality of public policing does to the overall distribution of the burden of defending against crime between the public and the private sector. This effect is potentially important in valuing the operations of a police department for the simple reason that society might have some preferences about how the burden of defending against criminal attack ought to be distributed between private and

public efforts. It may also have views that suggest that some forms of private security are better than others.

There were important reasons that society decided to turn some of the responsibility for controlling crime to a public agency. One reason was to relieve private citizens of the burden. Presumably, for most citizens, it is valuable to be able to have a police force to call upon rather than to be forced to rely solely on their own ability to defend themselves against crime. A second reason was to enhance the overall fairness of the system. Those private individuals who were less able to defend themselves would not be left on their own; they would have a publicly supported protector, and the society as a whole would enjoy a more fairly distributed level of security. In addition, it was thought that a public police force could administer the laws in a fairer and more impartial manner than would occur were we to depend primarily on private initiative to enforce the law. Those offenders who attacked the weak and generous would not suffer less than those who attacked the powerful and vengeful. The fairer distribution of the benefits and burdens of public policing was thought to be in the interests of justice and fairness as well as efficacy.

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*There were important reasons that society decided to turn some of the responsibility for controlling crime to a public agency.*

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Society might also be interested in the kinds of protection against crime that are relied upon by private citizens. It may be that the forms of self-defense that protect individuals but leave their fellow citizens worse off (such as guns, locks, and dogs) are less preferred by society than forms of self-defense that make whole communities safer and build social relations in the process (such as community block-watch groups). It may also be that forms of self-defense that increase the safety of some communities at the expense of others, and build a climate of distrust (such as gated communities guarded by private security guards), are less valuable than those that increase the safety of all and enhance a sense of shared responsibility for producing both order and liberty (such as public police departments committed to creating a kind of ordered liberty that is available equally to all, and keeps the city as a whole open to all its citizens). It is also important to recognize that these forms of self-protection are responses to inadequate public policing.

The implication, then, is that in assessing the value of a police department, one might be interested in knowing how much of the burden of crime control had been left in the hands of citizens and how the citizens were responding to that burden. The answer to this question could be found through the use of surveys. Presumably, those police departments that had succeeded in reducing levels of self-defense to modest levels, had succeeded in shifting the type of self-defense to those forms that helped strengthen communities, and had ensured "ordered liberty" would be considered more successful and valuable than those departments that had been tossed aside by citizens in their desperate effort to protect themselves.

#### (5) *The regulation of public spaces and traffic safety*

The discussion of reducing fear and structuring society's overall response to crime in ways that produce an "ordered liberty" (within which citizens can enjoy a high degree of both subjective freedom and security) focuses our attention on some additional activities of the police that could be considered extremely valuable, but which do not fit neatly into the conventional image of the police as the organization whose principal goals are to reduce crime and call offenders to account. These involve the role of the police in what Herman Goldstein describes as "managing the movement of vehicles and people in public locations"; or, more concretely, the role of the police in traffic enforcement and the maintenance of public order.<sup>35</sup>

Compared to the drama of crime and punishment, it would be easy to overlook and trivialize the (largely civil and regulatory) police role in traffic safety. Yet, there are at least four reasons to take traffic enforcement seriously as a value-creating activity of the police.

First, it remains true that the safety of citizens is more threatened by careless driving than by murderers and rapists. To the extent that the police are properly concerned with protecting citizens from accidents as well as crimes, police contributions to traffic safety may be as important as their contributions to reducing homicide.

Second, it is in traffic and parking enforcement that the police come into direct contact with the largest number of citizens. In all likelihood, to the extent that citizens form their views of the police from direct experience rather than from television, they do so on the basis of what they, and their families, friends, and neighbors, experience in traffic stops. If the police are courteous, respectful, and professional in these transactions, they will have a favorable view of the police. If they are rude, openly contemptuous, and unprofessional, the citizens will form

another view. To the extent that the police should be interested in the views that citizens have of them, then, they might be interested in ensuring that these encounters are done well, or that they occur only when necessary and then be done as well as possible.<sup>36</sup>

Third, whatever one's views about the social benefits of traffic enforcement, the police spend a great deal of time doing it. Because the costs of the effort are high (both as an absolute amount as well as a proportion of their budget), it is important that the police measure the results.

Fourth, it is possible that there is an important synergy between traffic enforcement on one hand, and success in reducing crime and catching offenders on the other. The link is made via the fact that it is traffic violations that often motivate the police to stop citizens who turn out to be offenders, or allow them to stop citizens whom they suspect of being offenders for other reasons. Just as the focus on disorder offenses brings the police into broader, closer contact with citizens with the effect of reducing serious crime, so might a focus on traffic offenses. Indeed, writing in 1978, James Q. Wilson and Barbara Boland found that the only police activity that seemed to predict lower crime rates in cities was a high level of traffic enforcement.<sup>37</sup>

What is true for public streets is also true for other common spaces such as public parks and schoolyards. It is also true for commercial activities that can affect the health and safety of the population such as the distribution, sale, and use of alcohol and guns. And it is also true for political activities such as striking, demonstrating, and voting. These places, commodities, and activities are all parts of our collective life together. To ensure that there is a reasonable degree of harmony in these collective activities, the police are charged with the responsibility to ensure both fair access to and orderly conditions within these spaces. Indeed, it is in these domains that the role of the police as the architects of liberty rather than as crime fighters is most apparent. This may be one of the most important reasons for keeping these activities salient in the minds of the police. These activities remind citizens and the police that they exist to promote fairness and liberty, not simply to ensure security.

#### (6) *Emergency medical and social services*

A sixth important service provided by the police is the provision of emergency social and medical services to vulnerable and desperate people. The police save intoxicated people from freezing to death or being mugged. They protect runaway children from the hazards and exploitation of street life. They help abused spouses

through the terrible hours following a domestic assault. Again, there is a tendency to disparage these activities of the police as “social work” rather than “crime fighting,” and to complain that such work is more properly the responsibility of other agencies. So it might be. But it is still true that the police end up doing a lot of this kind of work. The primary reason is that they are the only government agency that is open twenty-four hours a day, seven days a week, and not only patrols the streets looking for problems but also makes house calls. The result is that the police inevitably end up being the “first responders” to emergencies regardless of their causes or their best future management.

Note that there is one kind of emergency medical and social service that is quite intimately connected with the police role as crime fighter—that is the emergency medical and social service that is provided to victims of crime in the aftermath of a criminal attack. Such service (which could include first aid, some initial counseling, and the

notification of family and employers of the attack) is valuable in at least two ways.

First, to the victims of crime, this service may ease the pain and reduce the shock of their victimization. To the extent that an important goal of policing is not only to prevent crime, but also to lessen its consequences for those who suffer, such service would count as value-producing activity.

Second, to the police and wider society, the connection created between the police and the victim by the provision of high-quality service can help to increase the chance that the case will be solved and successfully prosecuted. Prosecutors long ago discovered that criminal cases could be sustained and strengthened by assigning people from their office to care for victims and families, and keep them involved in the case.<sup>38</sup> Presumably, the police, too, could benefit from cultivating stronger relationships with victims, even though the police may sometimes have to treat victims with some suspicion.

## VI Toward a “Public Value Scorecard” for Public Policing

The argument so far, then, is that although one can assert that the definitive public value produced by policing is crime reduction secured through the threat of arrests, it is by no means obvious that this is true. There are many other things that the police can produce that are plausibly valuable to society besides reducing crime. These other valued results include: (1) preventing crimes through means other than arrests; (2) holding offenders to account in the interests of justice; (3) reducing fear and promoting security; (4) reducing the burden and encouraging public-spirited forms of self-defense against crime; (5) regulating traffic and the use of public spaces in the interests of safety, security, and equal access to public resources; and (6) providing various types of emergency medical and social services.

Moreover, the ultimate value of these effects produced by the police depends not only on the magnitude of these positive results, but also on the costs incurred by the society in producing the results. The costs include not only the money that is spent to sustain police operations; they also include the liberty and privacy that citizens forgo in creating a public police force whose job it is to protect them from crime and help them call offenders to account. Ideally, we would like to produce all the valuable results of policing with as little use of public money and public authority as possible.

Obviously, this discussion has introduced a great deal of complexity into the evaluation of police department performance—so much so that it might be difficult for a community to reach a satisfactory philosophical and political judgment about what it wants and expects from its police department, and how it would measure whether it gets what it wants. In the interests of supporting that discussion, we would suggest the following steps as a means of developing an ordered sense of the values that would be worth pursuing through a publicly-financed police department empowered to use the authority of the state to accomplish both practical goals, such as reducing crime, and more principled goals, such as doing justice.

### (1) *Distinguishing utilitarian from principled values*

The first step, in fact, is to make a distinction between the “practical” or “utilitarian” values pursued by the police on one hand, and the “principled” or “deontological” values pursued by the police on the other. Practical values include goals like “reduced crime,” “enhanced security,” and “responsive and courteous service.” They are things that are good to have and to enjoy because individuals value them. Principled values, on the other hand, are things like “justice” and “fair treatment.” These are things that are considered good in themselves, regard-

less of whether individuals or collectives really want them, and regardless of whether the production of these values produce any additional good.

Of course, individuals and collectives often want and value these principled values as well as the practical ones. Indeed they particularly seem to want these things when they get together as a collective to establish a public agency spending tax dollars and relying on the authority of the state to accomplish public purposes. It is also true that actions taken to secure these principled values may also produce valuable practical results. Crime may be reduced through the deterrence and incapacitation that result from pursuing the principled goal of holding offenders to account. Compliance with rules may be more reliably and inexpensively secured if citizens believe that the system that enforces compliance with the rules is just and legitimate. Clearly, tension could arise if actions taken to enhance security impinge on citizens' views on liberty and individual rights. But the point is that these principled values can be distinguished from the utilitarian values and can also be viewed as important in judging the value of public policing.

(2) *Ordering the importance of stakeholders and customers to be satisfied*

The second step is to distinguish among the people, or more accurately, the social positions of those who do the valuing of police enterprises. As noted above, it is useful to distinguish between the social positions of a "citizen" on one hand and a "client" on the other. It is also useful to distinguish between two different kinds of clients of police: those clients who want and receive services from the police and those clients on whom the police impose obligations. Arguably, it is important to satisfy the interests of all these different stakeholders of policing, but the reasons for being interested in satisfying them, and the relative importance of seeking to satisfy them, differ a great deal. Some of the preferences deserve greater standing than others.

The clients who receive services from the police look most like "customers" in the private sector, and therefore (in this era that celebrates business models) appear to be the individuals whose satisfaction it seems most important to pursue. Of course, there are obvious prudential reasons why a police force would seek to satisfy these clients. Because there are many who call, because most of them are "law-abiding citizens," and because most of them pay taxes, there are political advantages to police departments of providing quality services to those who call, or walk-in, or attend neighborhood meetings to request particular services. Yet, as noted above, it is some-

times the duty of a police department to say "no" to such customers. The clients who receive obligations from the police (that is, the criminal offenders, the suspects in an investigation, and the negligent drivers) look least like customers, and one can imagine that the police are under no obligation to try to satisfy them. Yet, as noted above, the police have instrumental reasons for wanting to satisfy these clients.

It turns out that the most important stakeholders in policing are the citizens. That conclusion becomes less surprising when we remember that it is citizens who provide police with the authority and money they use in operations. The authority comes from the precious stock of liberty we all enjoy. The money comes from private consumption via taxation. Since it is citizens who pay for policing with these precious assets, and since the police must act for all, is primarily citizens' desires that ought to be honored in police operations.

(3) *Distinguishing aggregate values from the quality of individual transactions*

The third step is to distinguish between values that are realized in the aggregate and those that are realized in smaller, more individualized transactions. To some degree this distinction parallels the distinction between citizens on one hand and clients on the other. Arguably, citizens value the *whole* of policing, including questions about its aggregate fairness, efficiency, and effectiveness. Clients, on the other hand, value the *particular transactions* in which they are involved either as service recipients or obligatees. An important part of their individual valuation includes the issue of whether they think they have been fairly and decently treated.

It is worth noting that there are many levels of aggregation that lie between the entire political community in whose name a police department operates on the one hand, and individual clients on the other. There are different geographic neighborhoods or communities of place. There are also different communities of interest such as businesspeople, or parents, or public-housing inhabitants who have interests that are larger than individual interests, but smaller than citywide issues. All other things being equal, when individuals collect in mediating institutions such as neighborhood groups, churches, or other kinds of interest groups, they have more political power and more legitimacy in demanding police services than they do as individuals. But their legitimacy and effective influence increases even more when their grouping includes many diverse interests, or when the substantive claims they wish to make can be rationalized as being in the interests of the whole society

as well as their immediate, somewhat idiosyncratic interests.

(4) *An ordered list of values to be pursued through public policing*

Once we have made these distinctions, it becomes possible to produce an ordered list of values that the police might try to express in—or realize through—their operations. Table 1 presents a first effort at such a list. This table is important to the subject of police performance measurement because each of the values in this table is an important candidate for measurement. We know that

organizations tend to produce what is measured.<sup>39</sup> We also know, then, that if some important values go unmeasured, the police will produce less of that value than is desirable. Some urgency thus attaches to developing a suitable measure for a neglected but important value. Thus, Table 1 can be used as a template for assigning priority to the construction of measures that could allow citizens recognize the value of policing to more reliably, and managers to guide operations more reliably. Some discussion of the values presented in Table 1 may help clarify the meaning and increase the practical utility of the Table.

**Table 1**  
**What Citizens Should Value:**  
**Valuable Dimensions of Police Performance**

	<i>Principled Values</i>	<i>Instrumental Values</i>
	<b>Enforce Law Faithfully &amp; Impartially</b>	<b>Enhance Safety &amp; Security</b>
Social Perspective	Call Offenders to Account Reduce Corruption Reduce Brutality, Excessive Use of Force Fair Allocation of Police Resources Fairly Distribute Burden of Protection Between Private and Public	Reduce Crime and Victimization Increase Traffic Safety Reduce Public Disorder Provide emergency Medical/Social Services Increase Efficiency & Cost Effectiveness
	<b>Sense of Fair Treatment</b>	<b>High-Quality Customer Service</b>
Individual/Group Perspective	Among those Obligated by Police Among Particularly Situated Groups	Quality of Customer Service: Individual Evaluation Quality of Customer Service: Group Evaluation

The upper left-hand cell of Table 1 holds the aggregate, principled values that a police department is duty-bound to pursue. This includes the important idea that the police should enforce the law faithfully and impartially, and not just the laws that define felony crimes, but also the laws that define misdemeanors, the civil statutes that seek to promote order in public places, and the laws that regulate the conduct of the police themselves. In this cell, then, would be the value of calling offenders to account for their crimes. Also in this cell would be the recognition of patterns of corruption in the police force, or the unfair use of force and authority. And, this cell

also includes the idea that the police should not only use force and authority fairly but economically. Other things being equal, as a matter of principle, we would like the police to achieve their principled and practical aims with the least use of public force and authority.

This upper left-hand cell also includes the idea that, as a *public* police force, the police should fairly distribute the protection and service they can provide across the entire political community that they serve. The allocation of police services should consider those social needs of a neighborhood more than its political or economic power. Perhaps most controversially, this cell also in-



cludes the idea that the police should operate in ways that keep the responsibilities for self-defense and the avoidance of criminal victimization properly distributed between private and public agencies. After all, the public police are not, can not, and should not be, the only social actors that take responsibility for controlling crime. Citizens have to do their part in protecting themselves and their neighbors. The public police should operate to support private self-defense efforts when they are constructive, to discipline and regulate them when they are not, and (reluctantly) to fill in gaps when the gaps appear. This is important as a matter of the proper relationship between the state and individual citizens in a liberal society. As a principled value (that has important practical effects), it is important that the police take neither too much nor too little responsibility for defending citizens against attack. Much must be left to the citizens, who then must be aided and encouraged to support publicly-sensitive forms of self-defense.

The upper right-hand cell of Table 1 holds the aggregate, instrumental values that serve as the primary practical justification for having a police force. It is here that the familiar goals of the police appear, such as reducing crime and victimization. It is also here that the wider goals and effects of policing occur, such as reducing traffic accidents, establishing order in public places so that they can be widely and comfortably used, providing emergency medical and social services, and helping other city government agencies to perform more effectively in improving the quality of urban life. Obviously, within this cell, the most important and urgent values are those associated with reducing crime, victimization, and fear. But the other effects, though less central to policing, are important results that police produce, and therefore are important to recognize through measurement if we want them to continue. It is also within this cell that the public's interest in efficiency and cost effectiveness is held. The public would like to know that its money is being spent wisely and prudently while ensuring its liberty.

The lower left-hand cell of Table 1 holds the disaggregated (either individual or group) principled values. The important value here is the extent to which individuals who are obliged by the police feel that they have been fairly treated; these are those who are, for example, to be arrested, or expected to aid in a criminal investigation, or required to pay traffic or parking fines. Equally important is the extent to which groups of citizens, such as small business merchants, minority youth, and women, feel that they are treated fairly by the police.

The lower right-hand cell of Table 1 holds the disaggregated (either individual or group) instrumental values. It is here that the idea of "customer service" holds sway. This cell focuses our attention on the extent to which individuals who call the police, and groups who make requests of the police, feel that they receive high quality, responsive service from the police.

#### *(5) Focusing on the Future: Monitoring Strategic Adaptation and Working Relationships*

Table 1 identifies the key dimensions of police performance that constitute the public value that police ought to be trying to produce; this is, in effect, policing's complex "bottom line." Beyond these measures, however, citizens should be expecting police departments to make investments that will allow them to improve their performance in the future.

There should be measures that allow citizens to know whether the police department is learning to do old jobs better and is adapting to deal with new problems as they arise. Citizens should be expecting the police to get better at handling the common problems that they face, such as domestic violence, gang violence, street-level drug markets, the handling of mentally ill on the streets, barroom fights, and the identification and arrest of serial rapists and murderers. They should also expect the police to get better at making important resource allocation decisions. Police should pay closer attention to the value they get from sustaining particular capabilities and specialized product lines within the organization, such as SWAT teams, K-9 units, horse patrols, and juvenile delinquency units. To the extent that local police have committed themselves to shifting their basic strategy from the reactive model of the past to the proactive community problem-solving strategy of the future, citizens should expect the police to account for the progress they are making in implementing this new strategy—the investments they have made in building the technological infrastructure to support this new strategy, the changes they have made in their recruitment and training efforts, and so on.

There should also be measures that can reveal the strength of the key relationships on which the police rely to produce their valuable results in the future. Surveys of citizens-customers that ask about their experiences and views of the police department would reveal the strength of the department's relations with its key "customers." The same survey, asking questions of citizens-suppliers about their self-defense efforts and their willingness to



help the police would reveal important information about key suppliers. Other data on the level of training and experience of those in particular positions in the police force could indicate the overall quality of the human resources that are being relied upon to deliver the high-quality service that the department should be trying to provide.

Ultimately, there is much about a public police department's performance that deserves to be recognized as a value-creating activity or result. It is not enough (though it is certainly important) to see that the police seem to have been reducing crime. We also want to know whether they have been reducing fear, and delivering quality services to those who call. We want to know whether they have secured justice not only by calling to account those who commit crimes, but also by protecting the rights of those they suspect. We want to know that the police have been fair in the ways they allocate their resources and impose the burdens of their investigations. We want to know whether the police have sustained

their legitimacy with various segments of the population, and whether they have supported the kinds of self-defense that are appropriate to a society that is trying to produce security and liberty for all. Moreover, we want to be sure that we get all this at the lowest possible price in terms of money and lost liberty. To see whether a police department is getting better at any of this, one must first have a conception of what is valuable, and then find a way to measure it. We hope we have made some contribution to the first part of this task; namely, identifying in a fairly orderly way some of the important public values that a community might wish to see both pursued by and reflected in the operations of the department, and the reasons why these values would be appropriate. Ideally, this would support a public discussion between a community and its police force about the terms by which the police would agree to be held accountable, and would usher in sustained efforts to measure police performance with respect to these objectives.

#### NOTES

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1 Jerry L. Mashaw, *Due Process in the Administrative State* (New Haven, CT: Yale University Press, 1985).

2 It is important to understand that even private businesses have come to rely less on financial measures of performance than they once did. Robert Kaplan and David Norton argued in a book called *The Balanced Scorecard* (Boston: Harvard Business School Press, 1996) that all private companies should add non-financial measures to their set performance indicators. The reason that private sector companies needed non-financial measures was that it was important for them to be able to monitor conditions that would allow them to sustain or increase profitability in the future as well as recognize it in the past. Among the important non-financial measures were those that could provide information about the strength of the relationship that the firms had with their customers, suppliers, and employees, and those that could offer clues about how the organization could improve its ongoing operations. In short, because the future profitability of the enterprise depended on strong relations and continuous learning in operations, performance measures had to be constructed that would guide organizational action with respect to these things as well as ultimate profitability. Public organizations like the police need non-financial measures for these same reasons. But public organizations need non-financial measures for a different and more important reason as well: namely, that the effects they are trying to produce, and the value to be assigned to those effects, will not be captured by

customers making voluntary choices to spend their money on particular goods or services. As will be argued below, it will be defined by a collective public defining the ultimate social purposes of the police which can include, but will not be limited to, satisfying customers.

3 David Osborne and Ted Gaebler, *Reinventing Government* (Reading, MA: Addison-Wesley, 1992).

4 This is the principal normative justification for markets. See Robert Pindyck and Daniel Rubinfeld, *Microeconomics*, 5th edn. (Upper Saddle River, NJ: Prentice-Hall, 2001).

5 John Rawls, *A Theory of Justice* (Cambridge, MA: Belknap Press of Harvard University Press, 1971).

6 This is known as the authorizing environment. See Mark H. Moore, *Creating Public Value* (Cambridge, MA: Harvard University Press, 1995).

7 Those writing about performance measurement in the public sector nearly always mention the importance of measuring performance to attract resources to the organization by offering a high degree of accountability. See Jonathan Walters, *Measuring Up: Governing Guide to Performance Measurement for Geniuses (and Other Public Managers!)* (Washington, DC: Governing Books, 1998); Robert Behn, *Bottom-Line Government* (Durham, NC: Governor's Center, Duke University, 1992).

8 This, too, is widely recognized in public sector performance measurement. See Walters, *Measuring Up*; Moore, *Creating Public Value*; Malcolm Sparrow, *Imposing Duties* (Westport, CT: Praeger, 1994).

9 Jerome Skolnick and James J. Fyfe, *Above the Law* (New York: Free Press, 1993).

- 10 Samuel Walker, *The Police in America*, 2nd edn. (New York: McGraw-Hill, 1992); Vera Institute of Justice, *Processing of Complaints Against the Police* (New York: Vera Institute of Justice, 1998).
- 11 See, e.g., California Commission on Peace Officer Standards and Training (POST) <<http://www.post.ca.gov>>.
- 12 Tom Tyler and Yuen Huo, *Trust in the Law* (New York: Russell Sage Foundation, 2002).
- 13 For example, Herman Goldstein, *Policing a Free Society* (Cambridge, MA: Ballinger, 1977).
- 14 For example, Robert Langworthy (ed.), *Measuring What Matters: Proceedings from the Police Research Institute Meetings* (Washington, DC: National Institute of Justice, 1999).
- 15 Mark H. Moore, *Recognizing Value in Policing* (Washington, DC: Police Executive Research Forum, 2002).
- 16 William Bratton, *Turnaround: How America's Top Cop Reversed the Crime Epidemic* (New York: Random House, 1998); see also Moore, *Recognizing Value In Policing*.
- 17 Albert Biderman and Albert Reiss, Jr., "On Exploring the 'Dark Figure' of Crime," *Annals of the American Academy of Political and Social Sciences*, 374 (1967): 1-15.
- 18 Bureau of Justice Statistics, *Criminal Victimization in the United States, 2002* (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2003).
- 19 The most common errors are under-reporting and over-reporting. For a full discussion of the problems and errors in victimization surveys, see James Garofalo, "The National Crime Survey, 1973-1986," in *Measuring Crime: Large Scale, Long-Range Efforts*, ed. Doris MacKenzie, Phyllis Baunach, and Roy Roberg (Albany, NY: State University of New York Press, 1990).
- 20 One might argue that crimes that are not reported do not really deserve to be treated as serious crimes, or, indeed, as crimes at all. If it was not important enough for a victim or witness to report it, then the crime does not deserve public attention. The difficulty is that there are many reasons other than the unimportance of the crime that causes some crime not to be reported. Some of the most important reasons are that the person was afraid to report the crime for fear of retaliation, or that the person does not believe the police will do anything about it even though it is a significant matter, or that the person does not know that they have been victimized because they have gotten used to such treatment and view it as a matter of course. See Mark H. Moore, "Invisible Offenses," in *ABSCAM Ethics*, ed. Gerald Kaplan (Washington, DC: Police Foundation, 1983), 17-42.
- 21 See Michael Gottfredson and Travis Hirschi, *A General Theory of Crime* (Palo Alto, CA: Stanford University Press, 1990).
- 22 See Mark H. Moore, "Community and Problem-Solving Policing," in *Modern Policing*, ed. Michael Tonry and Norval Morris (Chicago: University of Chicago Press, 1992).
- 23 See Ronald V. Clarke (ed.), *Situational Crime Prevention: Successful Case Studies*, 2nd edn. (New York: Harrow and Heston, 1997).
- 24 See David M. Kennedy, "Fighting Fear in Baltimore County," Case Study 938.0 (Cambridge, MA: John F. Kennedy School of Government, Harvard University, 1990).
- 25 See David M. Kennedy, Anne M. Piehl, and Anthony A. Braga, "Youth Violence in Boston: Gun Markets, Serious Youth Offenders, and a Use-Reduction Strategy," *Law and Contemporary Problems* 59 (1996): 147-96.
- 26 See Herman Goldstein, *Problem-Oriented Policing* (Philadelphia: Temple University Press, 1990); Anthony A. Braga, *Problem-Oriented Policing and Crime Prevention* (New York: Criminal Justice Press, 2002).
- 27 For a similar line of argument with respect to the measurement of performance in corrections agencies, see Charles Logan, "Criminal Justice Performance Measures for Prisons," in *Measuring Performance in Criminal Justice Agencies*, Bureau of Justice Statistics—Princeton Study Group on Criminal Justice Performance Measures (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 1993).
- 28 For a discussion of the empirical evidence supporting and rejecting the idea that deterrence and incapacitation can control crime, see Alfred Blumstein, Jacqueline Cohen, Jeffrey Roth, and Christy Visher (eds.), *Criminal Careers and "Career Criminals"* (Washington, DC: National Academy Press, 1986), Vol. I.
- 29 This is called a deontological ethical theory. See William Frankena, *Ethics*, 2nd edn. (Upper Saddle River, NJ: Prentice-Hall, 1973).
- 30 Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge, UK: Cambridge University Press, 1991), 142.
- 31 See Wesley Skogan, *Disorder and Decline* (New York: Free Press, 1990).
- 32 See James Q. Wilson and George Kelling, "Broken Windows: The Police and Neighborhood Safety," *Atlantic Monthly* (March 1982): 29-38.
- 33 See Skogan, *Disorder and Decline*; Robert Sampson, Steven Raudenbush, and Felton Earls, "Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy," *Science* 277 (1997): 918-24.
- 34 See Kenneth Ferraro, *Fear of Crime* (Albany, NY: State University of New York Press, 1995).
- 35 See Goldstein, *Policing a Free Society*.
- 36 See Mark H. Moore, "The Legitimization of Criminal Justice Policies and Practices," *Perspectives on Crime and Justice: 1996-1997 Lecture Series* (Washington, DC: National Institute of Justice, U.S. Department of Justice, 1997).
- 37 James Q. Wilson and Barbara Boland, "The Effects of Police on Crime," *Law and Society Review* 12 (1978): 367-190.
- 38 See President's Task Force on Victims of Crime, *Final Report* (Washington, DC: U.S. Government Printing Office, 1982).
- 39 Walters, *Measuring Up*.